

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JONATHAN LAMAR SIMPSON

v.

OFFICER FNU DRAKE, ET AL.

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CIVIL NO. 4:23-CV-781-SDJ

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (the “Report”) in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On June 14, 2024, the Report of the Magistrate Judge, (Dkt. #20), was entered containing proposed findings of fact and recommendations that Defendants’ motion to dismiss, (Dkt. #14), be granted. Accordingly, the Magistrate Judge recommended the following: Plaintiff’s claims against Defendants be dismissed with prejudice; Plaintiff not be given leave to amend; and this dismissal count as a strike pursuant to 28 U.S.C. § 1915(g).


Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s Report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendants’ motion to dismiss, (Dkt. #14), is **GRANTED**.

It is further **ORDERED** that Plaintiff's claims against Defendants are **DISMISSED with prejudice**.

It is further **ORDERED** that this dismissal counts as a strike pursuant to 28 U.S.C. § 1915(g).

So ORDERED and SIGNED this 6th day of August, 2024.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE